

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

GILBERT SANCHEZ

VS.

ENTERPRISE OFFSHORE DRILLING
LLC AND SMART FABRICATORS OF
TEXAS, LLC

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CA NO. 4:19-cv-00110

**PLAINTIFF’S MOTION FOR PARTIAL DISMISSAL AGAINST DEFENDANT
ENTERPRISE OFFSHORE DRILLING LLC WITHOUT PREJUDICE**

Plaintiff asks this Court to dismiss Defendant Enterprise Offshore Drilling LLC (“Enterprise”) from this suit without prejudice.

A. INTRODUCTION

1. Plaintiff is Gilbert Sanchez.
2. On December 11, 2018, Plaintiff filed suit against Enterprise Offshore Drilling LLC and Smart Fabricators of Texas LLC (“Smart Fabricators”) for injuries that occurred in the course and scope of his employment aboard the Enterprise 263 vessel. The claims arise out of injuries sustained on August 8, 2018.
3. Defendant Enterprise was served on December 14, 2018. Defendant Smart Fabricators was served on December 17, 2018. All Defendants filed an answer.
4. On January 11, 2019, Defendants Enterprise and Smart Fabricators then filed a notice of removal. All Defendants consented to removal.

B. ARGUMENTS

5. Plaintiff seeks to dismiss Defendant Enterprise without prejudice. Plaintiff asks that the dismissal of this Defendant be without prejudice, as the parties are only in the very early stages of the lawsuit, and this will preserve Plaintiff's right to bring any viable claims against this Defendant in the future.

6. Plaintiff seeks this dismissal in order to focus on pursuing claims already pled in his latest petition on file, against Defendant Smart Fabricators, Plaintiff's Jones Act employer.

7. Defendant Enterprise has not filed any counterclaims. This Defendant will not be prejudiced by dismissal.

C. CONCLUSION

8. For these reasons, Plaintiff asks the Court to grant this motion and dismiss Enterprise Offshore Drilling LLC from this suit without prejudice. Plaintiff's claims against Defendant Smart Fabricators of Texas, LLC will continue.

Respectfully submitted,

THE BUZBEE LAW FIRM

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been duly served upon all known counsel of record in accordance with the Federal Rules of Civil Procedure on *February 8, 2019*.

Andrew Dao
Andrew Dao